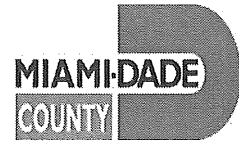




Memorandum



To: Paul Schwiep, Esq., Chairperson
and Members, Citizens' Independent Transportation Trust (CITT)

From: Charles Scurr, Executive Director *CS*

Date: January 23, 2014

Re: Resolution Declaring the Acquisition of seventeen (17) Designated Properties for Right-of-Way needed for PTP Project Entitled Improvements to SW 216 Street from the Florida Turnpike to SW 127 Avenue to be a Public Necessity and Authorizing the Use of Charter County Transportation Surtax Funds

The attached item was prepared by the Public Works and Waste Management Department (PWWM).

The attached resolution declares the acquisition of seventeen (17) designated properties known as Parcels 48, 49, 50, 51, 51A, 53, 55, 56, 58, 59A, 60, 61, 62, 64A, 64B, 69, and 70, located at SW 216 Street, from the Florida Turnpike to SW 127 Avenue to be a public necessity. The proposed project includes roadway expansion, beautification and improvements consisting of reconstructing the existing roadway to include a raised landscaped median, bicycle facilities, sidewalks, curb and gutters, continuous storm drainage system, signalization, pavement markings and signage, and roadway lighting. The total cost of the project (inclusive of construction, design and right-of-way acquisition of all parcels) is estimated at \$11,966,000.00 and once the project is completed, it is estimated that the fiscal impact to the annual maintenance and operations costs will be approximately \$26,929.91 and \$4,320.68, respectively.

This project was specifically listed in the Exhibit 1 of the PTP Ordinance as a Board Requested Project for Commission Districts 9; however, this project will be of benefit Countywide. This is an approved project and is referenced on page 82 of the FY 2013 5-Year PTP Implementation Plan.

This item was forwarded at the January 23, 2014, Project and Financial Review Committee and the January 14, 2014, Infrastructure & Capital Improvements Committee (ICIC) agenda. This item is scheduled for the February 4, 2014, agenda of the Board of County Commissioners. **(BCC Legislative File No. SEE ATTACHED LIST)**

If you have any questions or need additional information, please do not hesitate to contact me.

c: Alina Hudak, Deputy Mayor/Interim Director Public Works & Waste Management Department
Bruce Libhaber, Assistant County Attorney

RESOLUTION NO.

RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THAT THE BOARD OF COUNTY COMMISSIONERS (BCC), DECLARE THE ACQUISITION OF 17 DESIGNATED PROPERTIES FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED IMPROVEMENTS ON SW 216 STREET FROM THE FLORIDA TURNPIKE TO SW 127 AVENUE, TO BE A PUBLIC NECESSITY; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE AND THE COUNTY ATTORNEY TO TAKE ANY AND ALL APPROPRIATE ACTIONS TO ACCOMPLISH ACQUISITION OF THE SUBJECT PROPERTY IN FEE SIMPLE, BY NEGOTIATION, DONATION, RIGHT OF WAY DESIGNATION, PURCHASE AT VALUES ESTABLISHED BY APPRAISALS OR TAX ASSESSED VALUES WHICHEVER IS THE HIGHER OF THE TWO TOGETHER WITH REASONABLE ATTORNEYS' FEES AND COSTS PURSUANT TO SECTIONS 73.091 AND 73.092, FLORIDA STATUTES, OR BY EMINENT DOMAIN COURT PROCEEDING INCLUDING DECLARATIONS OF TAKING, AS NECESSARY AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS (Legislative File No. SEE ATTACHED LIST)

WHEREAS, the CITT desires to accomplish the purposes outlined in the accompanying OCITT Executive Director's memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE CITT, that this Trust recommends that the Board of County Commissioners (BCC), declare the acquisition of 17 designated properties known as Parcels 48, 49, 50, 51 51A, 53, 55, 56, 58, 59A, 60, 61, 62, 64A, 64B, 69 and 70, for the People's Transportation Plan (PTP) Project Entitled Improvements on SW 216 Street from the Florida Turnpike to SW 127 Avenue, to be a public necessity; and authorize the County Mayor or the County Mayor's Designee and the County Attorney to take any and all appropriate actions to accomplish acquisition of the subject property in fee simple, by donation, purchase at values established by appraisals or tax assessed value whichever is the higher of the two together with reasonable attorneys' fees and costs pursuant to Chapters 73.091

and 73.092, Florida Statutes, or by eminent domain court proceeding including declarations of taking, as necessary; and authorize the use of Charter County Transportation Surtax Funds, as outlined in the corresponding document in substantially the form attached hereto and made a part hereof.

The foregoing resolution was offered by _____, who moved its adoption. The motion was seconded by _____ and upon being put to vote, the vote was as follows:

Paul J. Schwiep, Esq., Chairperson
Hon. Anna E. Ward, Ph.D., 1st Vice Chairperson
Glenn J. Downing, CFP®, 2nd Vice Chairperson

Joseph Curbelo
Alfred J. Holzman
Jonathan Martinez
Miles E. Moss, P.E.
Marilyn Smith

Peter L. Forrest
Prakash Kumar
Alicia Menardy
Hon. James A. Reeder
Hon. Linda Zilber

The Chairman thereupon declared the resolution duly passed and adopted this ____ day of _____ 2014.

Approved by the County Attorney as
to form and legal sufficiency _____

By: _____
Executive Director

PARCEL	BCC FILE NO.
48	132551
49	132553
50	132560
51	132575
51A	132576
53	132578
55	132552
56	132555
58	132561
59A	132562
60	132590
61	132573
62	132554
64A	132556
64B	132557
69	132558
70	132559